

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HOWARD ACKERMAN, et al.,

Plaintiffs,

vs.

STATE OF NEVADA DEPT. OF
CORRECTIONS, et al.,

Defendants.

Case No. 2:11-cv-00883-GMN-PAL

ORDER

This matter is before the court on the court's review of the docket in this case. The Complaint (Dkt. #1) in this case was filed June 1, 2011. An Emergency Motion for a Temporary Restraining Order (Dkt. #4) and a Motion to Certify a Class (Dkt. #5) were also filed June 1, 2011. The district judge set the emergency motion for a temporary restraining order for hearing June 10, 2011. Minute Order in Chambers (Dkt. #7), entered June 2, 2011. The complaint and motion for a temporary protective order seek injunctive relief to prohibit the Nevada Department of Prisons from implementing a policy change that kosher diets are no longer to be provided to Jewish prisoners and prisoners of other religious faiths whose religion require them to keep kosher. Complaint (Dkt. #1) ¶ 1. The named Plaintiff, Howard Ackerman, is an Orthodox Jewish prisoner who is required to keep kosher as an essential tenet of his religion. *Id.* ¶ 2. He alleges the Department of Corrections actions violate his rights and the rights of putative class members under the Religious Land Use and Institutionalized Person Act ("RLUIPA"), 42 U.S.C. § 2000cc-1(a). *Id.*

This case has a lengthy and convoluted procedural history, which is thoroughly outlined in the district judge's Order (Dkt, #234), entered May 3, 2013. For purposes of this order, the court notes the following relevant procedural history. On May 2, 2013, the court approved a Stipulation (Dkt. #107) certifying a class action in this case. *See* Order on Stipulation (Dkt. #114). On July 26, 2012, the

1 parties filed a Joint Motion (Dkt. #137) requesting, among other things, that the court approve a notice
2 of settlement and schedule a fairness hearing on a proposed settlement agreement. *See* Joint Motion
3 (Dkt. #137); Motion to Amend (Dkt. #142). The court held a fairness hearing on the proposed
4 settlement on October 11, 2012. After the hearing, the district judge entered an Order (Dkt. #234),
5 which rejected the parties' proposed class action settlement agreement, dissolved the injunction issued
6 by the court, and decertified the class, finding it was no longer justified. Plaintiff filed a Motion to
7 Reconsider (Dkt. #235), which is currently pending before the district judge.

8 The district judge directed the parties to submit any requests to amend the Scheduling Order
9 (Dkt. #99) by May 31, 2013. *See* Order (Dkt. #234). No party submitted any request. The deadlines in
10 the court's Scheduling Order have all expired.

11 Having reviewed and considered the matter,

12 **IT IS ORDERED** that the parties shall file a joint pretrial order no later than **May 12, 2014**.
13 The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections thereto, shall be included in the
14 pretrial order.

15 Dated this 9th day of April, 2014.

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18 PEGGY A. LEEN
19 UNITED STATES MAGISTRATE JUDGE
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